

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ABLE HOME HEALTH, LLC)	
on behalf of plaintiff and)	
the class members defined herein,)	
)	
Plaintiff,)	14 C 2942
)	
v.)	
)	Judge Der-Yeghiyan
AIR1 WIRELESS, INC.,)	Magistrate Judge Cole
AIR1 WIRELESS HOLDINGS, LLC,)	
NEXTEL RETAIL STORES, LLC, doing)	
business as SPRINT, SPRINT)	
COMMUNICATIONS COMPANY, LP and)	
JOHN DOES 1-10,)	
)	
Defendants.)	

PLAINTIFF'S MEMORANDUM IN SUPPORT OF FINAL ACCOUNTING

Plaintiff Able Home Health, LLC respectfully submits this memorandum in support of final accounting of the class action settlement with defendants Air 1 Wireless, Inc., Air 1 Wireless Holdings, LLC (collectively, the “Air1 Wireless Defendants”), Nextel Retail Stores, LLC doing business as Sprint, and Sprint Communications Company, LP (collectively, the “Sprint Defendants”).

On September 15, 2015, the Court entered an order granting final approval to the parties’ class action settlement agreement. (*Dkt. No. 81*)

Catherine Latturner attests to the fact that Edelman, Combs, Latturner & Goodwin, LLC received \$3,000.00 from the Settlement Fund representing notice and administrative expenses, which was deposited into the firm’s Client Trust Account. (*Dkt. No. 86*) Subsequently, Ms. Latturner testifies that the balance of the Settlement Fund in the amount of \$53,500.00 was sent

to Edelman, Combs, Lattner & Goodwin, LLC and deposited into the firm's Client Trust Account. (*Dkt No. 86*) The total amount of the Settlement Fund is \$56,500.00. The following payments were made from the Settlement Fund: payment in the amount of \$3,000.00 issued to Kurtzman Carson Consultants LLC ("KCC") for notice and administrative expenses; payment in the amount of \$3,000.00 issued to Able Home Health, LLC as the class representative's incentive award; payment in the amount of \$16,333.33 in attorney's fees; and payment in the amount of \$7,500.000 issued to *Able Home Health, LLC v. Air1 Wireless, Inc. et al. QSF.* (*Dkt. Nos. 85, 86*)

Deborah McComb of KCC attests that the *Able Home Health, LLC v. Air1 Wireless, Inc. et al. QSF* was received by KCC on November 23, 2015, in the amount of \$7,500.00 pursuant to the parties' agreement and the Court's Orders. (*Dkt. No. 87*)

Each Settlement Class Member who submitted a valid claim was paid a pro rata share of the Settlement Fund up to a maximum of \$500.00 per fax transmission, after deducting notice and administration expenses, the incentive award to the plaintiff, and attorney's fees. Each Settlement Class Member was paid \$500.00 per fax transmission. (*Dkt. No. 87*)

Settlement checks were mailed to 13 Settlement Class Members, representing 15 fax transmissions. (*Dkt. No. 87*) There were 12 Settlement Class Members who cashed their settlement checks. Thus, the total distribution to the Settlement Class is \$7,000.00. (*Dkt. No. 87*)

Following expiration of the void date on the settlement checks \$27,166.67 remained in the Settlement Fund as a result of uncashed checks (\$500.00) and undistributed funds (\$26,666.67). (*Dkt. No. 87*) On February 29, 2016, a check in the amount of \$26,666.67 was sent to the *cy pres* recipient, Family Defense Center. (*Dkt. Nos. 85, 86*) On March 9, 2016, a

wire transfer in the amount of \$500.000 was sent to the *cy pres* recipient, the Family Defense Center. (*Dkt. No. 87*)

Plaintiff submits that to date the Settlement Fund was distributed in accordance with the parties' agreement and the Court's orders.

Respectfully submitted,

s/ Heather Kolbus
Heather Kolbus

Daniel A. Edelman
Heather Kolbus
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CERTIFICATE OF SERVICE

I, Heather Kolbus, certify that on March 10, 2016, I caused a true and accurate copy of the foregoing document to be filed with the Court's CM/ECF system, which will cause notification of such filing upon the following:

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